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FARAD CONTINUATION SHEET NO.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.2394 OF 2004

Office notes, office Memoranda of Coram, appearances, Court's orders or directions & Registrar's orders.	:	Court's or Judge's Orders

Mr. K.N. Kore for the petitioner.

Ms. P.H. Kantharia, A.P.P. for the State.

CORAM: SMT. RANJANA DESAI &
ABHAY S. OKA, JJ.

DATED: 15TH DECEMBER, 2004.

P.C.:-

Admittedly, respondent 1 - the District Collector, Pune, has issued a show cause notice to the petitioner dated 1/12/2004. The said notice is received by the petitioner on 3/12/2004. The learned counsel for the petitioner states that the petitioner shall file a reply to the Collector within eight days from today. We direct that on receipt of the reply, the Collector shall pass final order on the show cause notice within a period of two weeks thereafter.

Needless to say that if a case is made out and, if the Collector is authorised to do so, the Collector shall consider releasing the tanker on furnishing the security by the petitioner. We make it clear that we have not expressed opinion on merits of the case. The collector shall consider the case independently and in accordance with law. All contentions of the parties are kept open.

Petition is disposed of in the aforestated terms.

C.C. expedited.

(SMT. RANJANA DESAI, J.)

(A.S. OKA, J.)